

**ASSEMBLY BILL**

**No. 2622**

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**Introduced by Assembly Member Smyth**

February 19, 2010

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An act to add Section 85322 to the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

AB 2622, as introduced, Smyth. Political Reform Act of 1974: campaign contributions.

The California Constitution requires the Legislature to pass a Budget Bill by June 15 of each year. The Political Reform Act of 1974 places restrictions on the collection of campaign contributions by candidates for public office through a variety of provisions. A person who violates these limitations on the collection of campaign contributions is guilty of a misdemeanor.

This bill would amend the Political Reform Act of 1974 to prohibit a Member of the Legislature, if the Legislature does not pass and send to the Governor by midnight on June 15 a Budget Bill for the following fiscal year, from receiving campaign contributions from June 16 until the date on which the Budget Bill is passed and sent to the Governor.

Because this bill would create a new crime, it would impose a state-mandated local program.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a  $\frac{2}{3}$  vote of each house and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 85322 is added to the Government Code,  
2 to read:

3 85322. If the Legislature does not pass and send to the  
4 Governor by midnight on June 15 a Budget Bill for the following  
5 fiscal year, in accordance with paragraph (3) of subdivision (c) of  
6 Section 12 of Article IV of the California Constitution, a Member  
7 of the Legislature shall not accept any campaign contributions  
8 from June 16 until the date that the Budget Bill is passed by the  
9 Legislature and sent to the Governor.

10 SEC. 2. The Legislature finds and declares that this bill furthers  
11 the purposes of the Political Reform Act of 1974 within the  
12 meaning of subdivision (a) of Section 81012 of the Government  
13 Code.

14 SEC. 3. No reimbursement is required by this act pursuant to  
15 Section 6 of Article XIII B of the California Constitution because  
16 the only costs that may be incurred by a local agency or school  
17 district will be incurred because this act creates a new crime or  
18 infraction, eliminates a crime or infraction, or changes the penalty  
19 for a crime or infraction, within the meaning of Section 17556 of  
20 the Government Code, or changes the definition of a crime within  
21 the meaning of Section 6 of Article XIII B of the California  
22 Constitution.